

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 03CV12247 WGY

MODERN CONTINENTAL )  
CONSTRUCTION, )  
Plaintiff )  
v. )  
RLI INSURANCE COMPANY, )  
Defendant )

STATE OF NEW YORK )  
) ss.:  
COUNTY OF NEW YORK)

**AFFIDAVIT OF FREDERIC R. MINDLIN**

1. My name is Frederic R. Mindlin and I am attorney licensed to practice in the State of New York.
2. I was admitted to practice law in the State of New York in 1975. I am also admitted to practice before the federal courts in New York and the Federal Appeals Court in New York. I am currently in good standing in all of the courts and jurisdictions in which I am admitted.
3. I have previously been admitted and practiced *pro hac vice* in courts in Massachusetts, although not in the calendar year 2004.
4. I have been practicing insurance law since 1976, and have litigated and tried numerous construction related insurance coverage cases. I have an expertise in this area of the law and a pre-existing attorney/client relationship with the defendant's insurer.
5. I am familiar with the rules governing professional conduct and hereby agree to abide by the same and all of my conduct in this matter.
6. I have read, and am familiar with, and hereby agree to abide by the Local Rules of

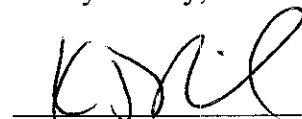
Civil Procedure governing actions within in the United States District Court for the District of Massachusetts.

Signed under the pains and penalties this 7<sup>th</sup> day of May, 2004.



Frederic R. Mindlin, Esquire  
Mound Cotton Wollan & Greengrass  
One Battery Park Plaza  
New York, NY 10004  
212-804-4200

Sworn to before me this  
7<sup>th</sup> day of May, 2004

  
Notary Public

KEVIN J. BRASSIL  
Notary Public, State of New York  
No. 31-5018311  
Qualified in New York County  
Certificate Filed in New York County  
Commission Expires Sept. 27, 2005